

**STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401**

DRAFT TIME SCHEDULE ORDER NO. R3-2016-0033

**REQUIRING THE
CITY OF EL PASO DE ROBLES
TO COMPLY WITH REQUIREMENTS PRESCRIBED IN
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
PERMIT NO. CA0047953, ORDER NO. R3-2011-0002,
AS RENEWED OR REVISED**

The California Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board) finds:

1. The City of El Paso de Robles (hereafter Discharger) owns and operates wastewater collection, treatment, and disposal facilities to provide sewerage service to the City, the community of Templeton, and the California Department of Corrections and Rehabilitation.
2. The Central Coast Water Board adopted waste discharge requirements regulating the discharge of secondary-treated effluent from the Discharger's wastewater treatment plant (WWTP) to the Salinas River. These requirements were issued in Waste Discharge Requirements Order No. R3-2011-0002 (Order No. R3-2011-0002), adopted by the Central Coast Water Board on May 5, 2011. Order No. R3-2011-0002 serves as a National Pollutant Discharge Elimination System (NPDES) permit (NPDES No. CA0047953).
3. Order No. R3-2011-0002 found that the Discharger's effluent had a reasonable potential to cause or contribute to exceedances of the Basin Plan's narrative water quality objective for toxicity and, therefore, established effluent limitations for whole effluent acute and chronic toxicity. The Order also included a new effluent limitation for monthly average total nitrogen of 10 mg/L as nitrogen.
4. The Discharger performed toxicity identification evaluation and identified elevated ammonia concentrations as the likely cause of the effluent toxicity. Ammonia and nitrogen removal was not possible with the Discharger's existing treatment processes at the time the Central Coast Water Board adopted Order No. R3-2011-0002.
5. The Central Coast Water Board issued Time Schedule Order No. R3-2011-0213 requiring nitrogen removal to comply with the requirements of Order No. R3-2011-0002. The Discharger completed the construction of a biological nutrient removal system, and other associated facility upgrades, in 2015.
6. Prior to facility upgrades, the Discharger consistently achieved compliance with trihalomethanes (THMs) effluent limitations. However, as a result of the plant upgrades (i.e., removal of ammonia from effluent), the existing chlorine-based disinfection system

now allows for the formation of THMs. The Discharger now consistently is unable to meet THMs effluent limitations.

7. Order No. R3-2011-0002 prescribes final effluent limitations for THMs as shown in Table 1.

Table 1 – Final Effluent Limitations

Pollutant	Units	Average Monthly	Maximum Daily
Chlorodibromomethane	µg/L	0.40	0.80
Dichlorodibromomethane	µg/L	0.56	1.6

8. *The Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (SIP) allows for compliance schedules and interim limitations based on an existing discharger's request and demonstration that it is infeasible for the discharger to achieve immediate compliance with a California Toxics Rule (CTR) criterion or with an effluent limitation based on a CTR criterion, such as the THMs effluent limitations in Order No. R3-2011-0002. Numeric interim limitations for the pollutant must be based on current treatment facility performance or on existing permit limitations, whichever is more stringent.
9. Since plant upgrades were completed, the Discharger has been working to use chloramination-based disinfection in order to achieve adequate disinfection while still preventing the formation of THMs. Chloramination is not as widely used as chlorination or ultra-violet (UV) disinfection processes; however, there are some facilities that have demonstrated success with the process. Chloramination requires the Discharger to successfully balance several operational parameters simultaneously, and therefore may not achieve immediate compliance with the final effluent limitations.
10. As described in letters from the Discharger dated May 12 and May 19, 2016, the Discharger has been collecting frequent process control samples to evaluate the WWTP's operational needs to achieve successful chloramination. While progress has been made, consistent disinfection without the formation of THMs has not yet been achieved. Additional operational and equipment changes may be necessary.
11. The Discharger acknowledges that in the event chloramination is unsuccessful as a disinfection strategy due to THMs formation, it is likely that an alternate disinfection process will be required. To that end, the Discharger has been pursuing UV-disinfection design and the development of a recycled water project.
12. The Discharger will be subject to interim THMs effluent limitations and compliance activities, as shown in Tables 2 and 3 below, including maximum daily interim effluent limitations, evaluation of chloramination as a viable long-term treatment process, quarterly reporting, and potentially the design and construction of an alternate disinfection process to achieve full compliance with Order No. R3-2011-0002, as renewed or revised.
13. California Water Code Section 13300 authorizes the Central Coast Water Board to establish a time schedule of specific actions a discharger shall take in order to correct or prevent a violation of requirements.

14. The Central Coast Water Board has delegated to its Executive Officer all powers and duties authorized by California Water Code (CWC) section 13223. This power included the authority to issue a time schedule order pursuant to CWC section 13300.
15. The Discharger cannot immediately achieve compliance with the chlorodibromomethane and dichlorobromomethane effluent limitations in Order No. R3-2011-0002. As a result, a discharge of waste from the current facility is taking place which threatens to violate requirements prescribed by the Central Coast Water Board. Therefore, this Order requires the Discharger to undertake actions to comply with final effluent limitations.
16. Pursuant to CWC section 13385(j)(3), violations of the final effluent limits for chlorodibromomethane and dichlorobromomethane in Order No. R3-2011-0002, as renewed or revised, are not subject to CWC section 13385 subdivisions (h) and (i) mandatory minimum penalties as long as the Discharger complies with all of the requirements of this time schedule order.
17. This time schedule order requires the Discharger to comply with a compliance schedule, which will allow the Discharger to achieve full compliance with chlorodibromomethane and dichlorobromomethane effluent limitations in Order No. R3-2011-0002, as renewed or revised.
18. This enforcement action is taken for the protection of the environment and as such is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.) in accordance with Section 15321, Chapter 3, Title 14, California Code of Regulations.

IT IS HEREBY ORDERED that, pursuant to sections 13267, 13383, and 13300 of the California Water Code, the City of El Paso de Robles shall:

1. Comply with the following interim chlorodibromomethane and dichlorobromomethane effluent limitations commencing on the effective date of TSO No. R3-2016-0033:

Table 2 –Interim Effluent Limits

Constituent	Units	Average Monthly ¹	Maximum Daily
Chlorodibromomethane	µg/L	N/A	5
Dichlorobromomethane	µg/L	N/A	10

¹ Per Water Board staff best professional judgment, the maximum daily interim effluent limits for THMs are adequate for the compliance determination purposes of this TSO. No average monthly effluent limits for THMs shall apply during the effect of this TSO.

2. Comply with the following compliance schedule commencing on the effective date of TSO No. R3-2016-0033:

Table 3 –Compliance Schedule

Required Actions	Compliance Due Dates
Prepare, submit, and implement a pollution prevention plan for THMs, pursuant to Section 13263.3 ¹	October 10, 2016

Required Actions	Compliance Due Dates
Report chloramination progress with each quarterly eSMR submittal, including operational adjustments with corresponding results of process control sampling, and any other relevant information to evaluate progress. Process control monitoring shall include at a minimum monthly THMs sampling at the end of the chlorine contact chamber. In the event chloramination is not viable as a long-term compliance strategy, report progress of implementation of alternate disinfection treatment process with each quarterly eSMR submittal, including funding, contracting, design, construction, new system testing, etc., and any other relevant information regarding compliance progress.	Quarterly on-going to June 10, 2021
Achieve full compliance ² with THMs final effluent limitations in Order No. R3-2011-0002, as renewed or revised, if achievable by chloramination.	June 10, 2018
Submit an alternate disinfection Work Plan, including design and construction time schedule, if chloramination is unable to achieve final THMs effluent limitations by June 10, 2018.	December 4, 2018
Achieve full compliance ² with THMs effluent limitations in Order No. R3-2011-0002, as renewed or revised, if implementing alternate disinfection process to replace chloramination.	June 10, 2021

¹ A pollution prevention plan is required under CWC section 13385(j)(3)(D)

² Full compliance will be considered four consecutive quarters with THM monitoring meeting the final effluent limits given in Order No. R3-2011-0002, as revised or renewed.

3. If the Discharger fails to comply with any provisions of this TSO, or fails to consistently demonstrate substantive progress towards achieving full compliance with THM effluent limitations in Order No. R3-2011-0002, as renewed or revised, the Executive Officer may rescind or terminate this TSO and/or issue a complaint for administrative civil liability pursuant to California Water Code section 13323. The Central Coast Water Board may also refer the case to the Attorney General for injunctive and civil monetary remedies, pursuant to California Water Code sections 13331 and 13385.
4. The Discharger shall comply with all provisions of Order No. R3-2011-0002, as renewed or revised, that are not in conflict with this Order.

Any person aggrieved by this action of the Central Coast Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of the order, except that if the thirtieth day following the date of the order falls on a Saturday, Sunday, or state holiday, the petition

must be received by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the internet at http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

This Order will become effective July 14, 2016. The Executive Officer may modify the time schedule in this Order to permit a specified task or tasks to be completed at later dates if the Discharger demonstrates and the Executive Officer determines that the delay was beyond the reasonable control of the Discharger to avoid.

ORDERED BY DRAFT, UNSIGNED
John M. Robertson, Executive Officer

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